

REMARKS

Applicant has amended claim 1 to more clearly define the present bandolier of syringes.

In the prosecution of the parent application, the Examiner issued a rejection of original claim 1 under U.S. patent application publication No. 2002/0020459 ("Baldwin publication") and stated that the Baldwin publication contained each of the claimed elements. More specifically, the Examiner equated the label 12 to the claimed control feature. In the preferred arrangement illustrated in Fig. 5 of the Baldwin publication, the sequential processing steps are (1) the label is cut between adjacent syringes; (2) a label is applied to the cut web; and (3) the syringe is filled. The publication does mention that the sequential order of the steps can be altered. As explained in the specification (e.g., paragraph [0026]), the labels indicate the contents of the syringes.

Applicant respectfully submits that all of the features of amended claim 1 are not disclosed in the cited Baldwin publication and in fact, they are not even suggested in this reference. More specifically, the label 12 in Baldwin is only for purposes of indicating the contents of the syringe which is attached to the web that carries the label as opposed to influencing the handling of the bandolier by the syringe handling system as set forth in the amended claim. The present control feature thus influences the advancement of the bandolier itself by the system. Applicant respectfully submits that this feature is not present in the cited reference.

With respect to claim 8, Applicant respectfully submits that the cited Baldwin reference fails to disclose or suggest the claimed features. The control system includes a multiplicity of syringes bound to the web at a prescribed interval and a control feature that is disposed in the prescribed interval and between adjacent syringes. The system also includes a detector positioned to detect the control feature on the bandolier and perform a prescribed operation in response to the detection or non-detection of the control feature.

Applicant respectfully submits that the system in the cited reference does not include a detector that functions to not only detect the control feature but performs an operation in response to the detection or non-detection of the control feature. For example, in the Baldwin reference, the

label is merely affixed to the web and relates to the contents within the syringe. For example, the label merely identifies the drug that is present in the syringe and the detector can be in the form of a bar code reader that simply reads this information. This is different from the present detector that is active in that it performs an operation based upon either detecting or not detecting the control feature. Applicant respectfully contends that this feature is not present in the cited reference.

All of the other claims should be allowed as depending from what should be allowed independent claims.

New claims 19 and 20 present features that further differentiate the present invention over the cited references.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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